

## REMARKS

Claims 1-7, 11-14, 17 and 18 are pending.

The claims are amended, and, thus, the pending claims remain for reconsideration, which is requested.

### Rejection under 35 USC §112, first paragraph:

The claims are amended to require “said devices of the other party including a device able to communicate and existing within a range for simultaneously with said communication device to communicate in case of performing communication by said communication device.” For example, paragraphs 57-58 of the US Publication support the claims.

Therefore, withdrawal of the rejection of 35 USC 112, first paragraph, is respectfully requested.

### Rejections under 35 USC 103(a)

Claims 1-6, 11-14, 17 and 18 are rejected under 35 USC 103(a) as being unpatentable over Huuskonen (US Publication 2004/0078372) in view of Aholainen (US Patent no. 7,102,640) in view of Nyman (US Patent no. 7,089,298).

Claim 7 is rejected under 35 USC 103(a) as being unpatentable over Hama (US Publication 2002/0039915) in view of Aholainen (US Patent no. 7,102,640) in view of Nyman (US Patent no. 7,089,298).

The amended claim 1 to require:

the identification information including the specifying information is obtained in a process of existence confirmation of said devices of the other party preperformed before establishment of a connection between said communication device and said devices of the other party,

the identification information for specifying the devices of the other party is related by the specifying information and in the identification information are related to be and is stored to the storage, and

after relating said specifying information and said identification information, said connection with said device of the other party is able to be started by designation of said specifying information.

Column 5, lines 5-12 in Nyman discusses:

What would be desirable is to reliably resolve naming conflicts between members with the same selected device name, which they have distributed throughout an ad hoc network. What would be desirable is a way to solve the problem of resolving device name conflicts when adding devices to existing ad hoc networks or when joining two ad hoc networks together.

It is readily apparent that Nyman fails to disclose expressly or implicitly the above amended features.

Paragraph 0043 in Huuskonen discusses:

[0043] WCD 102 stores information from each of these encounters. For example, WCD 102 stores the time of each encounter, information regarding the encountered remote device 104, and information regarding the owner of the encountered remote device 104. In addition, WCD 102 may store whether each encountered remote device 104 is a personal device or an impersonal device. This allows for the efficient retrieval of stored information regarding past encounters.

It is readily apparent that Huuskonen fails to disclose expressly or implicitly the above amended features.

It is readily apparent that Aholainen (as acknowledge by the Office Action page 6) and Hama (which is relied upon to reject claim 7) also fail to disclose expressly or implicitly the above amended features.

A prima facie case of obviousness based upon the language of amended claim 1 cannot be established, because it is readily apparent that Huuskonen, Aholainen, Nyman and Hama fail to disclose expressly or implicitly the language of amended claim 1. Withdrawal of the rejection of claim 1 and allowance of claim 1 is requested.

Independent claims 4, 5, 7, 11, 12, 13, 14, 17 and 18 are amended to require limitations similar to the limitations of amended claim 1.

The remaining dependent claims inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for the reasons discussed above in addition to the additional features recited therein.

Withdrawal of the rejections and allowance of the claims is requested. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,  
STAAS & HALSEY LLP

/Mehdi D. Sheikerz/

Date: May 8, 2009 By: \_\_\_\_\_  
Mehdi D. Sheikerz  
Registration No. 41,307

1201 New York Avenue, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501